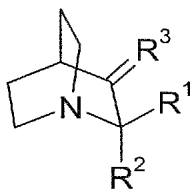


**AMENDMENTS TO THE CLAIMS:**

This listing of the claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A method of treating a disorder by using a compound of formula (I)



(I)

wherein

(i)  $R^1$  and  $R^2$  are the same or different and are selected from H,  $-\text{CH}_2-\text{O}-R^5$ ,  $-\text{CH}_2-\text{O}-\text{SO}_2-R^5$ ,  $-\text{CH}_2-\text{S}-R^5$ ,  $-\text{CH}_2-\text{O}-\text{CO}-R^5$ ,  $-\text{CH}_2-\text{O}-\text{CO}-\text{NR}^4R^5$  and  $-\text{CH}_2-\text{O}-\text{CO}-\text{OR}^5$ ;

$R^3$  is  $=\text{O}-$ ;

$R^4$  and  $R^5$  are the same or different and are selected from H; substituted or non-substituted, unbranched or branched, saturated or unsaturated C3-C12 cycloalkyl or C1-C10 alkyl; substituted or non-substituted benzyl; substituted or non-substituted mono- or bicyclic aryl; substituted or non-substituted mono-, bi- or tricyclic C1-C10 heteroaryl or non-aromatic C1-C10 heterocyclyl wherein the heteroatoms are independently selected from N, O and S; or  $R^4$  and  $R^5$  in  $-\text{NR}^4R^5$  are bonded together and form, together with the nitrogen atom

to which they are bonded, a substituted or non-substituted non-aromatic C1-C10 mono- or bicyclic heterocyclyl optionally containing one or several further heteroatoms independently selected from N, O and S and optionally comprising one or several cyclic keto groups;

with the proviso that when  $R^1$  and  $R^2$  are both  $-\text{CH}_2-\text{OR}^5$  then both  $R^5$  ~~is~~ are not H; and

with the further proviso that  $R^1$  and  $R^2$  are not both H; or

(ii)  $R^1$  and  $R^2$  together with the carbon atom to which they are bonded form an substituted or non-substituted cyclic carbonate; wherein the substituents of the substituted groups are selected from unbranched or branched, saturated or unsaturated C3-C12 cycloalkyl or C1-C10 alkyl; halogen; mono- or bicyclic aryl; mono-, bi- or tricyclic C1-C10 heteroaryl and non-aromatic C1-C10 heterocyclyl wherein the heteroatoms are independently selected from N, O and S; C1-C10 alkyloxy; amino; C1-C10 alkylamino;  $\text{COR}^6$ ;  $\text{CONR}^6\text{R}^7$ ; and  $\text{COOR}^6$ ;

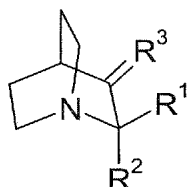
$R^6$  and  $R^7$  are the same or different and are selected from H; unbranched or branched, saturated or unsaturated C3-C12 cycloalkyl or C1-C10 alkyl; benzyl; mono- or bicyclic aryl; mono-, bi- or tricyclic heteroaryl or non-aromatic C1-C10 heterocyclyl wherein the hetero-atoms are independently selected from N, O and S; or

~~as well as of a pharmaceutically acceptable salts~~  
salt thereof,

for the treatment of a disorder selected from  
hyperproliferative diseases, by administering said compound in  
an effective amount for said disorder, to a patient in need  
thereof.

**2. (Previously Presented)** The method according to  
claim 1, wherein the disorder is a cancer.

**3. (Currently Amended)** A compound of formula (I)



(I)

wherein

(i) R<sup>1</sup> and R<sup>2</sup> are the same or different and are  
selected from H, -CH<sub>2</sub>OH, -CH<sub>2</sub>-O-CO-R<sup>5</sup>, -CH<sub>2</sub>-O-CO-NR<sup>4</sup>R<sup>5</sup> and -CH<sub>2</sub>-  
O-CO-OR<sup>5</sup>;

~~R<sup>3</sup> is =O, provided that at least one of R<sup>1</sup> and R<sup>2</sup> is  
selected from -CH<sub>2</sub>-O-CO-R<sup>5</sup>, -CH<sub>2</sub>-O-CO-NR<sup>4</sup>R<sup>5</sup> and -CH<sub>2</sub>-O-CO-OR<sup>5</sup>;~~

R<sup>4</sup> and R<sup>5</sup> are the same or different and are selected  
from H; substituted or non-substituted, unbranched or  
branched, saturated or unsaturated C<sub>3</sub>-C<sub>12</sub> cycloalkyl or C<sub>1</sub>-C<sub>10</sub>  
alkyl; substituted or non-substituted benzyl; substituted or

non-substituted mono- or bicyclic aryl; substituted or non-substituted mono-, bi- or tricyclic C1-C10 heteroaryl or non-aromatic C1-C10 heterocyclyl wherein the heteroatoms are independently selected from N, O and S; or R<sup>4</sup> and R<sup>5</sup> in -NR<sup>4</sup>R<sup>5</sup> are bonded together and form, together with the nitrogen atom to which they are bonded, a substituted or non-substituted non-aromatic C1-C10 mono- or bicyclic heterocyclyl optionally containing one or several further heteroatoms independently selected from N, O and S and optionally comprising one or several cyclic keto groups;

with the proviso that R<sup>1</sup> and R<sup>2</sup> are not both selected from H and -CH<sub>2</sub>OH; or

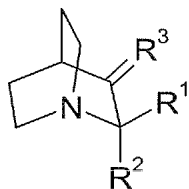
(ii) R<sup>1</sup> and R<sup>2</sup> together with the carbon atom to which they are bonded form a substituted or non-substituted cyclic carbonate; wherein the substituents of the substituted groups are selected from unbranched or branched, saturated or unsaturated C3-C12 cycloalkyl or C1-C10 alkyl; halogen; mono- or bicyclic aryl; mono-, bi- or tricyclic C1-C10 heteroaryl or non-aromatic C1-C10 heterocyclyl wherein the heteroatoms are independently selected from N, O and S; C1-C10 alkyloxy; amino; C1-C10 alkylamino; COR<sup>6</sup>; CONR<sup>6</sup>R<sup>7</sup>; and COOR<sup>6</sup>;

R<sup>6</sup> and R<sup>7</sup> are the same or different and are selected from H; unbranched or branched, saturated or unsaturated C3-C12 cycloalkyl or C1-C10 alkyl; benzyl; mono- or bicyclic aryl; mono-, bi- or tricyclic heteroaryl or non-aromatic C1-

C10 heterocyclyl wherein the hetero-atoms are independently selected from N, O and S; or

~~as well as a pharmaceutically acceptable salts~~ salt  
of the ~~compounds~~ compound of formula (I).

**4. (Previously Presented)** A process for the preparation of a compound according to claim 3 by reacting a compound of formula (I)



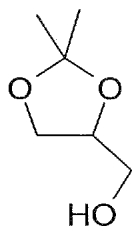
(I)

wherein

R<sup>1</sup>, R<sup>2</sup> and R<sup>3</sup> are as defined in claim 3, provided that at least one of R<sup>1</sup> and R<sup>2</sup> is -CH<sub>2</sub>OH; or wherein both R<sup>1</sup> and R<sup>2</sup> are -CH<sub>2</sub>OH and R<sup>3</sup> is as defined in claim 3;

with a compound of formula R<sup>5</sup>-CO-X, NR<sup>4</sup>R<sup>5</sup>-CO-X, or R<sup>5</sup>O-CO-X; wherein X is a leaving group; under conditions suitable for transforming at least one of R<sup>1</sup> and R<sup>2</sup> into -CH<sub>2</sub>-O-CO-R<sup>5</sup>, -CH<sub>2</sub>-O-CO-NR<sup>4</sup>R<sup>5</sup> or -CH<sub>2</sub>-O-CO-OR<sup>5</sup> wherein R<sup>4</sup> and R<sup>5</sup> are as defined in claim 3;

or by reacting a compound of said formula (I) wherein both R<sup>1</sup> and R<sup>2</sup> are -CH<sub>2</sub>OH; with a compound of formula



5. (Previously Presented) A compound according to claim 3 for use as a medicament.

6. (Original) A pharmaceutical composition comprising a therapeutically effective amount of a compound according to claim 3, or a pharmaceutically acceptable salt or prodrug thereof, and at least one pharmaceutically acceptable excipient.

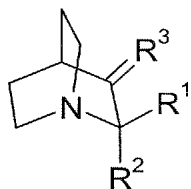
7. (Original) A pharmaceutical composition according to claim 6, comprising at least one further, pharmaceutically active compound.

8. (Cancelled)

9. (Previously Presented) A pharmaceutical composition according to claim 7, wherein the at least one further active compound *in vivo* is susceptible of reacting with glutathione.

**10. (Currently Amended)** A pharmaceutical composition according to, claim 7 or claim 9, wherein the further pharmaceutically active compound is selected from adriamycin, melphalan and cisplatin.

**11. (Currently Amended)** A method of treatment of a disease selected from hyperproliferative diseases, by administration of a therapeutically effective amount of a compound of formula (I)



(I)

wherein

(i) R<sup>1</sup> and R<sup>2</sup> are the same or different and are selected from H, -CH<sub>2</sub>-O-R<sup>5</sup>, -CH<sub>2</sub>-O-SO<sub>2</sub>-R<sup>5</sup>, -CH<sub>2</sub>-S-R<sup>5</sup>, -CH<sub>2</sub>-O-CO-R<sup>5</sup>, -CH<sub>2</sub>-O-CO-NR<sup>4</sup>R<sup>5</sup> and -CH<sub>2</sub>-O-CO-OR<sup>5</sup>;

R<sup>3</sup> is =O, —;

R<sup>4</sup> and R<sup>5</sup> are the same or different and are selected from H; substituted or non-substituted, unbranched or branched, saturated or unsaturated C3-C12 cycloalkyl or C1-C10 alkyl; substituted or non-substituted benzyl; substituted or non-substituted mono- or bicyclic aryl; substituted or non-

substituted mono-, bi- or tricyclic C1-C10 heteroaryl or non-aromatic C1-C10 heterocyclyl wherein the heteroatoms are independently selected from N, O and S; or  $R^4$  and  $R^5$  in  $-NR^4R^5$  are bonded together and form, together with the nitrogen atom to which they are bonded, a substituted or non-substituted non-aromatic C1-C10 mono- or bicyclic heterocyclyl optionally containing one or several further heteroatoms independently selected from N, O and S and optionally comprising one or several cyclic keto groups;

with the proviso that when  $R^1$  and  $R^2$  are both  $-CH_2-OR^5$  then both  $R^5$  ~~is~~ are not H; and

with the further proviso that when one of  $R^1$  and  $R^2$  is H and the other one is  $-CH_2-NR^4R^5$ , then  $R^4$  and  $R^5$  are not substituted or non-substituted monocyclic aryl; or

(ii)  $R^1$  and  $R^2$  together with the carbon atom to which they are bonded form a substituted or non-substituted cyclic carbonate; wherein the substituents of the substituted groups are selected from unbranched or branched, saturated or unsaturated C3-C12 cycloalkyl or C1-C10 alkyl; halogen; mono- or bicyclic aryl; mono-, bi- or tricyclic C1-C10 heteroaryl or non-aromatic C1-C10 heterocyclyl wherein the heteroatoms are independently selected from N, O and S; C1-C10 alkyloxy; amino; C1-C10 alkylamino;  $COR^6$ ;  $CONR^6R^7$ ; and  $COOR^6$ ;

$R^6$  and  $R^7$  are the same or different and are selected from H; unbranched or branched, saturated or unsaturated C3-



C12 cycloalkyl or C1-C10 alkyl; benzyl; mono- or bicyclic aryl; mono-, bi- or tricyclic heteroaryl or non-aromatic C1-C10 heterocyclyl wherein the heteroatoms are independently selected from N, O and S; or

~~as well as of a pharmaceutically acceptable salts or~~  
~~prodrugs~~ salt or prodrug thereof,

to a patient in the need of such treatment.

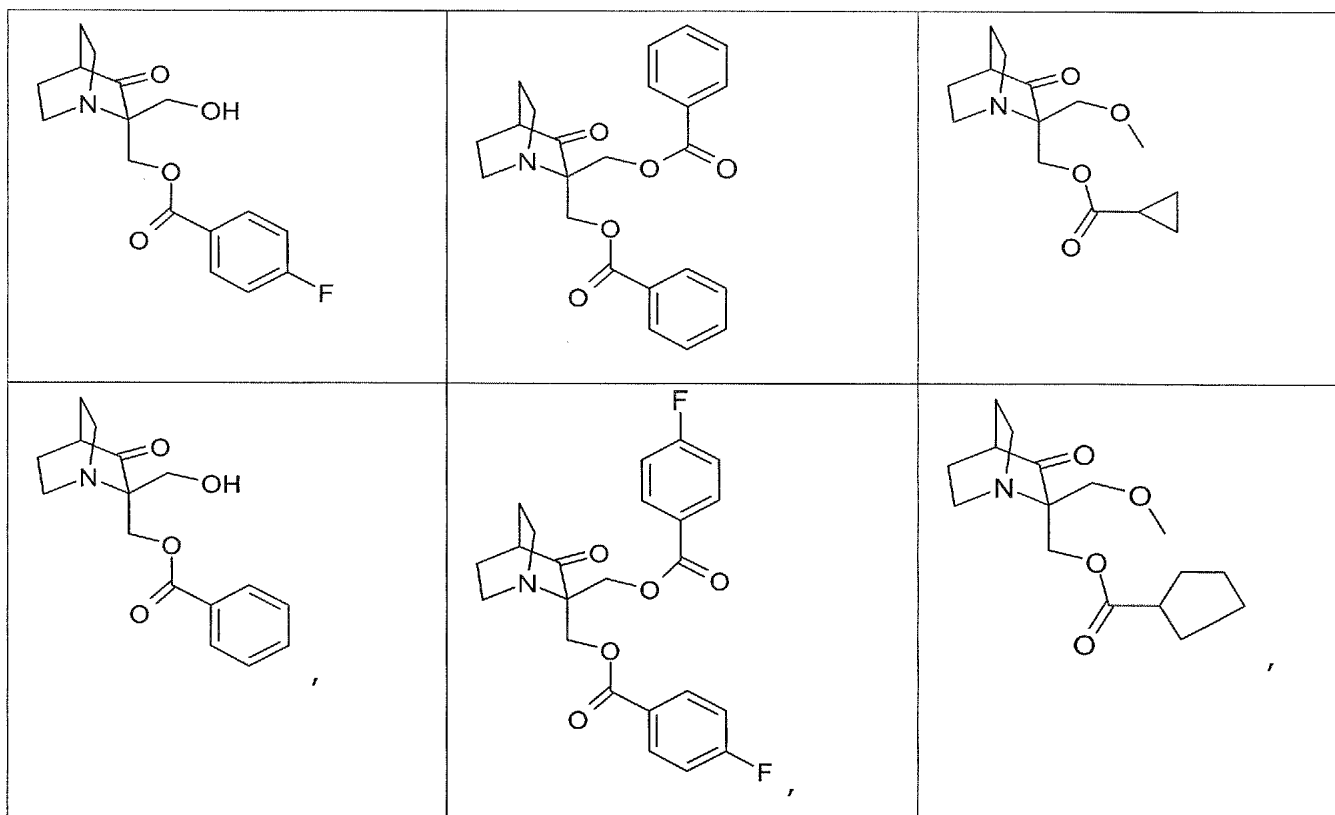
**12. (Original)** The method according to claim 11 wherein the compound of formula (I) is administered together with a further, pharmaceutically active compound.

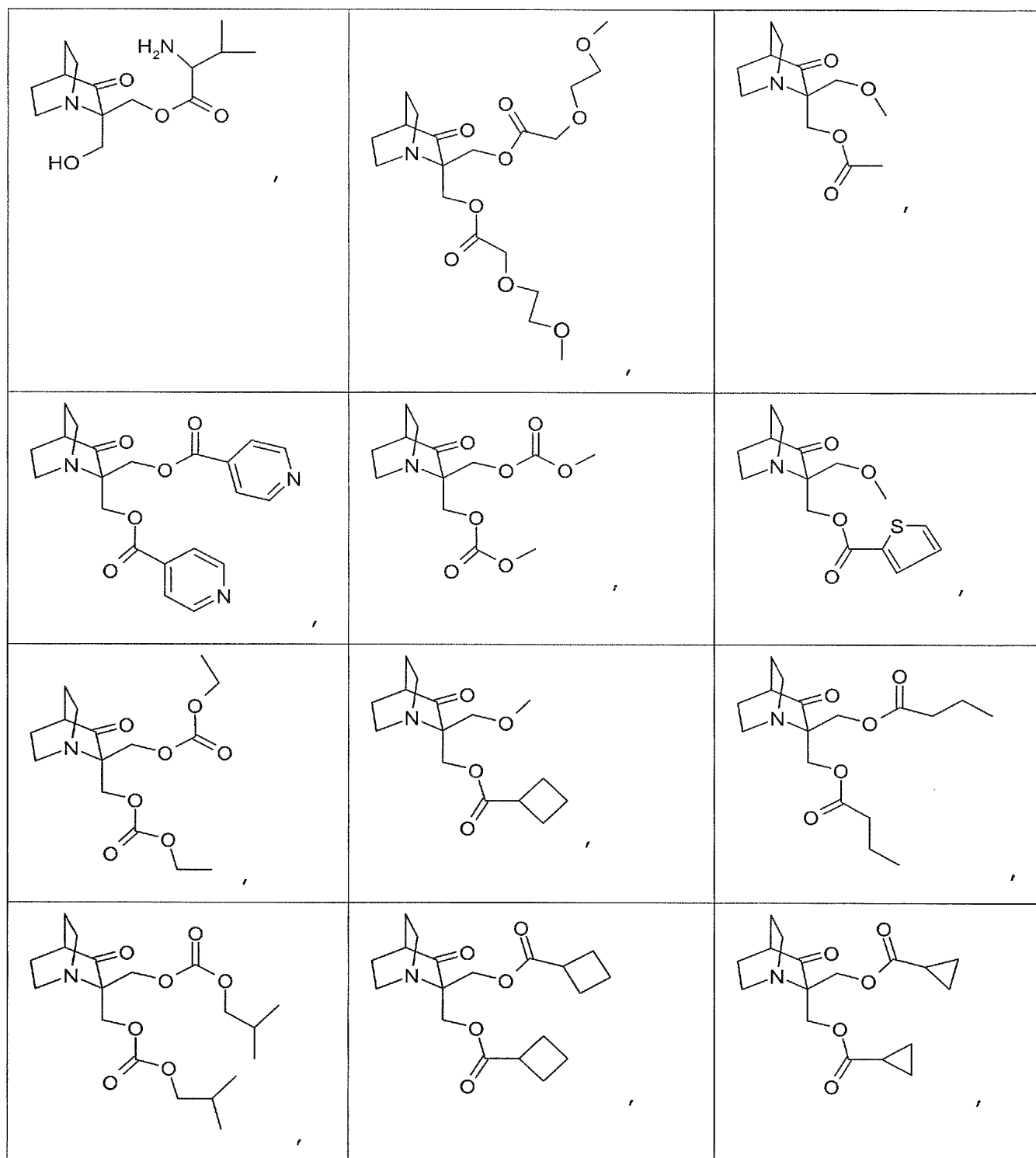
**13. (Cancelled)**

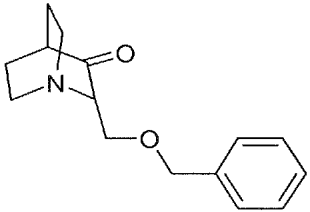
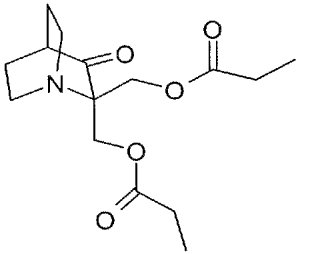
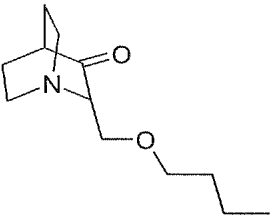
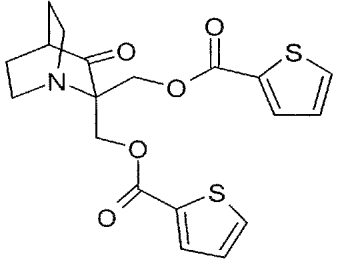
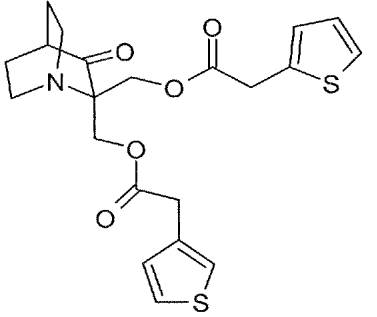
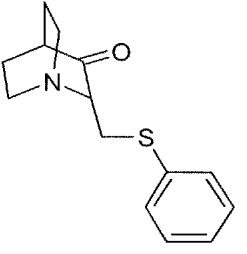
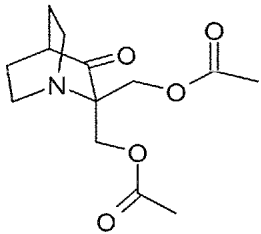
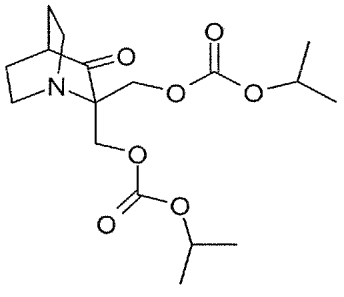
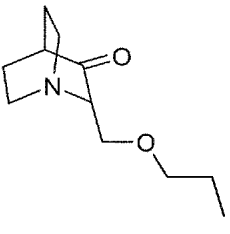
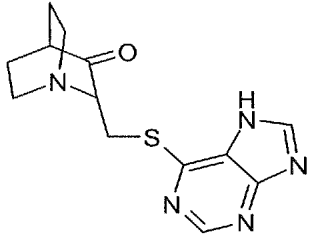
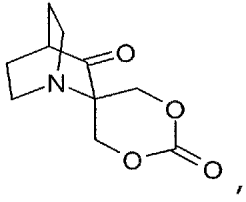
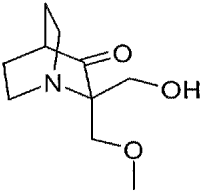
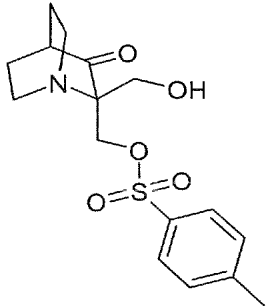
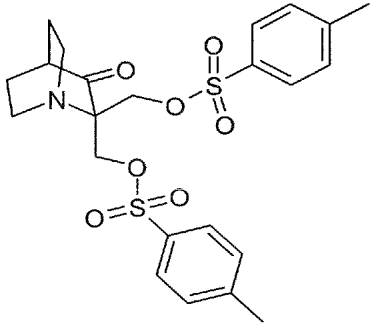
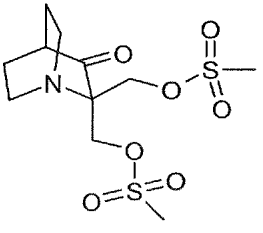
**14. (Currently Amended)** The method according to the claim 12 wherein the further, pharmaceutically active compound *in vivo* is susceptible of reacting with glutathione.

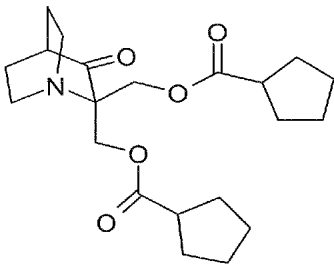
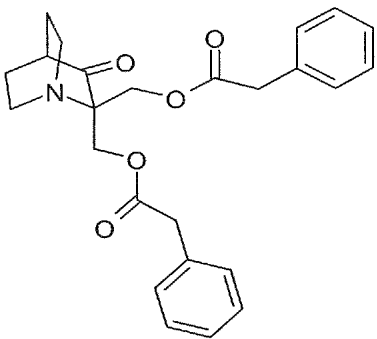
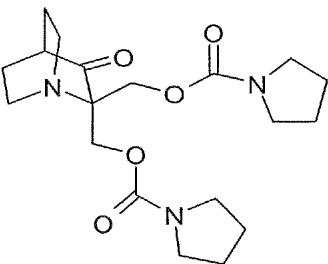
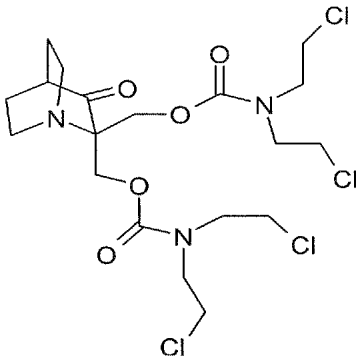
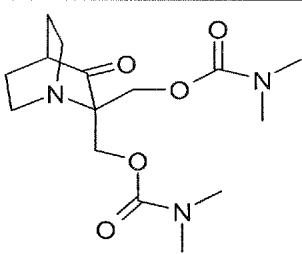
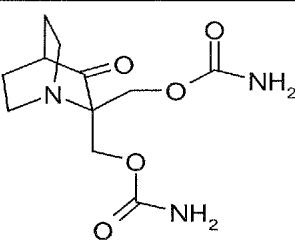
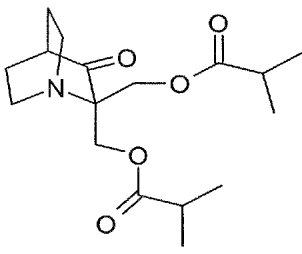
**15. (Previously Presented)** The method according to claim 12 or claim 14, wherein the further pharmaceutically active compound is selected from adriamycin, melphalan, cisplatin.

16. (Currently Amended) A method of treating a mammal suffering from a hyperproliferative disease, comprising administering to said mammal in need thereof a therapeutically effective amount of a compound selected from the group consisting of:



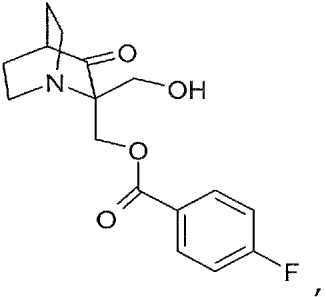
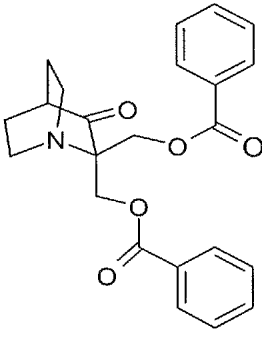
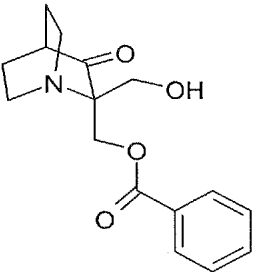
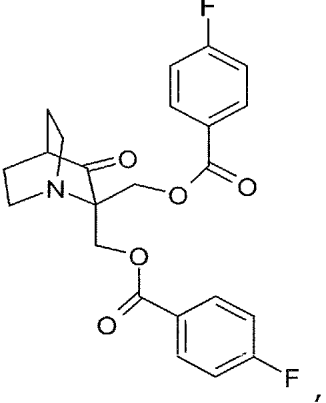
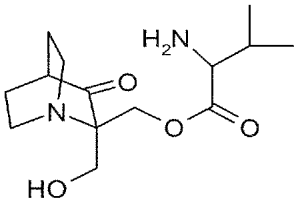
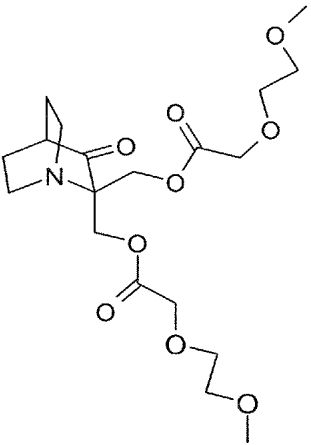
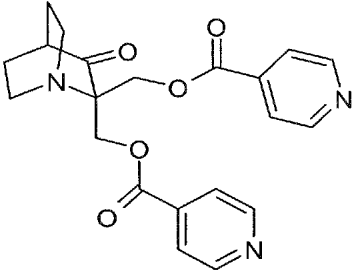
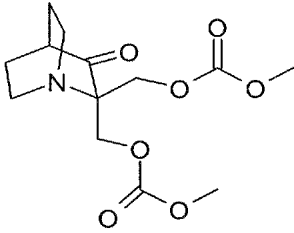
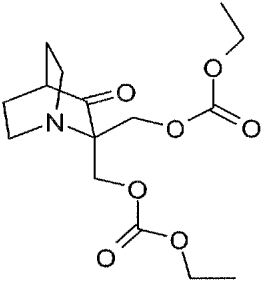
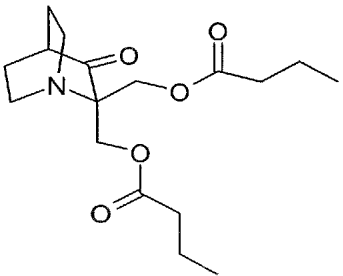
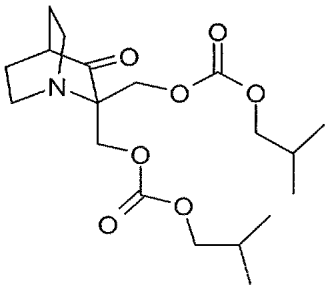
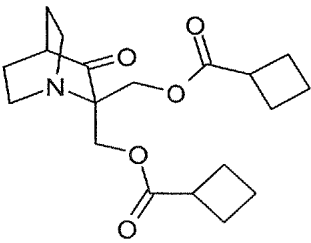


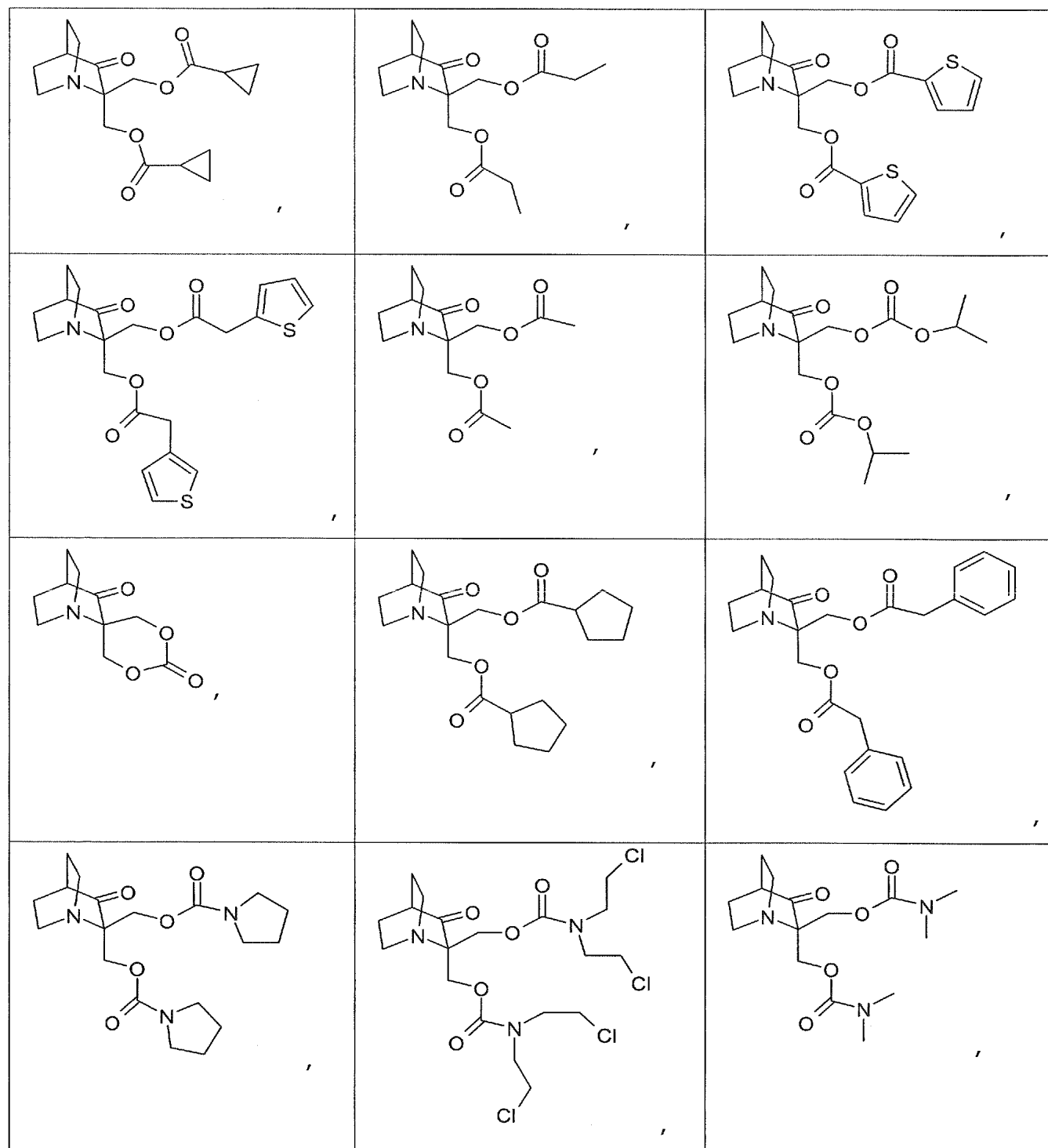
		
		
		
		
		

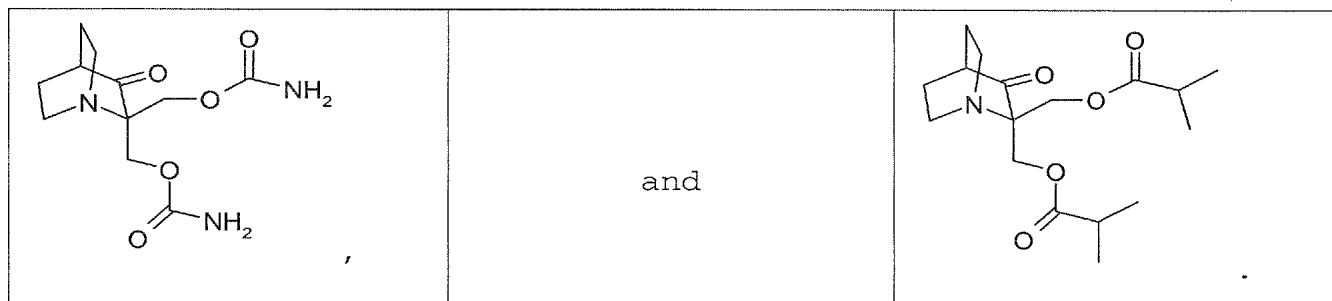
		
		
and		

17. (Previously Presented) The method according to claim 16, wherein the disorder is cancer.

18. (Currently amended) A compound selected from the group consisting of:





19. (Previously Presented) The process according to claim 4, wherein X is Cl.

20. (Previously Presented) The compound according to claim 3, wherein R<sup>1</sup> and R<sup>2</sup> are the same or different and are both selected from the group consisting of -CH<sub>2</sub>-O-CO-R<sup>5</sup>, -CH<sub>2</sub>-O-CO-NR<sup>4</sup>R<sup>5</sup> and -CH<sub>2</sub>-O-CO-OR<sup>5</sup>.